

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

FIDELITY NATIONAL TITLE  
INSURANCE COMPANY, *in its own*  
*Right and as subrogee of Wells Fargo*  
*Bank, N.A.,*

Plaintiff,

v.  
CHRISTOPHER DOLES,

No. 1:20-cv-01045-JDB-jay

Defendants.

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ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING PLAINTIFF'S  
MOTION FOR CONDITIONAL JUDGMENT, ENTERING CONDITIONAL JUDGMENT  
AGAINST CATERPILLAR INC., ORDERING CATERPILLAR INC. TO SHOW CAUSE,  
AND DIRECTING THE CLERK OF COURT TO SEND CATERPILLAR, INC. A COPY OF  
THE CONDITIONAL JUDGMENT AND SHOW CAUSE ORDER

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On December 15, 2020, Fidelity National Title Insurance Company filed a motion for entry of conditional judgment. (Docket Entry ("D.E.") 24.) The Court referred this motion to Magistrate Judge Jon A. York for a report and recommendation, (D.E. 25).

Before the Court is Judge York's report and recommendation, recommending that this Court take the following actions: grant Plaintiff's motion for entry of conditional judgment against Caterpillar, Inc. ("Caterpillar"); enter a conditional judgment against Caterpillar; enter an order requiring Caterpillar to show cause why a final judgment should not be rendered against it; and direct the Clerk of Court to send Caterpillar a copy of the conditional judgment and show cause order by certified mail. (D.E. 26.)

No objections to the magistrate judge's report and recommendation have been filed, and the time for such objections has expired. Therefore, upon review of the record and the magistrate

judge's report and recommendation, the Court ADOPTS Judge York's report and recommendation. As such, Plaintiff's motion seeking a conditional judgment, (D.E. 24), is GRANTED and a conditional judgment is ENTERED against Caterpillar. Additionally, Caterpillar is ORDERED to show cause within 30 days of the entry of this order why a final judgment should not be rendered against it. Finally, the Clerk of Court is DIRECTED to send Caterpillar a copy of the conditional judgment and show cause order by certified mail.

IT IS SO ORDERED this 4th day of February 2021.

s/ J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE